

FILED
COURT OF APPEALS
DIVISION II

2016 DEC -2 PM 3:50

STATE OF WASHINGTON

BY  DEPUTY

IN THE COURT OF APPEALS, DIVISION II
FOR THE STATE OF WASHINGTON

DUANE MOORE,
Appellant,

and,

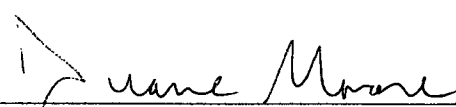
KAYLA VALLEE,
Respondent.

APPEAL NO. 48759-4

**Cover Page for Pages 9 – 12 of
Appellants Reply Brief**

Cover Page for Reply Brief

I, Duane Moore have submitted an original reply brief to the Court of Appeals Division II on November 14, 2016. During the printing process of the documents, I recently realized that pages 9 – 12 fell out of view from the recently submitted reply brief. Attached are pages 9 – 12 which are missing from the reply brief due to the documents separating from the rest of the documents during printing. I apologize for any inconvenience and thank you for accepting the pages that were accidently separated.


Duane Moore, Appellant, Pro Se

FILED
COURT OF APPEALS
DIVISION II

2016 NOV 14 AM 9:22

STATE OF WASHINGTON

BY  DEPUTY

No. 48759-4

**COURT OF APPEALS
OF THE STATE OF WASHINGTON,
DIVISION TWO**

In re the Parenting and Support of:

N.R.M; Child,

Duane Moore,

Appellant,

and

Kayla Vallee,

Respondent.

**ON APPEAL FROM PIERCE COUNTY SUPERIOR COURT
Honorable Brian Chushcoff**

APPELANT'S REPLY BRIEF

**Duane Moore
7310 56th St. Ct. W. Apt. C.
University Place, WA 98467
Telephone: (425) 638-2672
Pro Se**

TABLE OF CONTENTS

TABLE OF AUTHORITIES.....	ii
1. REPLY TO RESPONDENT’S STATEMENT OF THE CASE	1 - 2
2. REPLY TO RESPONDENT’S STANDARD OF REVIEW.....	2
3. REPLY TO RESPONDENT’S ARGUMENT.....	3 - 17
4. CONCLUSION.....	17

TABLE OF AUTHORITIES

Cases

Page

In re LaBelle, 728 P. 2d 138 - Wash: Supreme Court 1986.....	11
--	----

Statutes

RCW 26.09.002.....	3 - 4
RCW 26.09.187 (i)(iii).....	5
RCW 26.09.004 (3).....	6 - 7
RCW 26.09.191(5).....	7

Rules

RAP 9.11.....	1
---------------	---

Other Authorities

Marvin B. Rosenberry, The Supremacy of the Law: Law vs. Discretion, 23 Marq. L. Rev. 1 (1938).....	5
Bowlby, J. (1969). Attachment and loss: Vol. 1. Attachment. New York: Basic Books.....	6
John Bowlby, Attachment and Loss. Volume 2: Separation (1973).....	6

REPLY TO RESPONDENT'S STATEMENT OF THE CASE

Counsel's statement of the case knowingly provides inaccurate information about Mr. Moore and Ms. Vallee. Within this case as a supplemental reference, Mr. Moore provides the Exhibit Record and the Proceedings list from case 15-3-01760-7 and requests the court to honor RAP 9.11 for evidence supplied. When Mr. Moore was evicted from Ms. Vallee's home in March 2014, the two were not dating after that. Mr. Moore explains that they were trying to work out several things to see if a relationship could exist (RP 144, Lines 24 – 25 and RP 145, Lines 1 – 7). Ms. Vallee then goes on to state that NRM primarily lived with her after their relationship ended. Yet, if this was truly the case; why would Ms. Vallee express that she did not get to see NRM enough (RP 81 Lines 7 – 12)? Additionally; how can NRM possibly be in Ms. Vallee's primary care if it is well known and confirmed by Ms. Vallee that he was with Mr. Moore from Thursday to Monday every week (RP 8, Lines 11 – 12)?

Ms. Vallee filed a vengeful protection order against Mr. Moore on May 6, 2015 while she never needed protection and was never in any sort of danger. The motive behind Ms. Vallee's false protection order is based on the letter that Mr. Moore sent to Ms. Vallee after she intensely threatened him within a course of a week (Counsel's Exhibit P9-1). The situations were so extreme that Mr. Moore even specified that the police were involved and was recommended that he get a protection order. Mr. Moore tried to avoid that action. Mr. Moore's declaration filed on 5/8/2015 for cause number 15-2-01467-1 explains the details. Concerns are explained in greater detail with the declaration filed on 5/26/2015 for cause number 15-3-01760-7.

The temporary visitation order that was placed with the Ex-Parte hearing on 5/8/2016 was granted as the standard schedule and was not contested by Ms. Vallee. The motion for revision was heard by Judge Chuschoff and was amended in part of applying deviation to the child support transfer payment. This was the initial time that Judge Chuschoff was aware that deviation was needed. The contempt motion was by measures of a pending Administrative Hearing with the Division of Child Support and followed with administrative errors in payments discussed in Mr. Moore's opening brief (page 4 and 5). The denial of Expenditure of Public Funds was denied do to laws that prohibit funds to be used towards any family law case.

REPLY TO RESPONDENT'S STANDARD OF REVIEW

The appellate court reviews the trial court's rulings on residential provisions which include questions of facts such as Arbitrary and Capricious, Substantial Evidence, and Clear Erroneous that are all included within this case. The appellate court also reviews procedural errors such as Abuse of discretion and plan error which are also present within this case. It is respectfully requested that the case be reviewed following the De Novo standard.

REPLY TO RESPONDENT'S ARGUMENT

Reply to Ms. Vallee's response #1:

Ms. Vallee states that no evidence exists that Judge Chuschoff merged the two cases together while information within the final orders clearly show that the judge used information from a different case and applied it to ours. Council goes into details to explain that the State of Washington uses mandatory forms to each case but fails to acknowledge that it's not the document itself that's the error; it's the information put on the documents. It is clear the judge had put the wrong information on the forms because he was not solely concentrated on Mr. Moore and Ms. Vallee's case. Errors of this nature should be highly considered.

Reply to Ms. Vallee's response #2:

Ms. Vallee states that the court is only mandated to protect the best interest of the child according to RCW 26.09.002. Mr. Moore couldn't agree more to the guidelines within RCW 26.09.002. Judge Chuschoff recognizes that each party knows the life of their child most intimately. Judge Chuschoff says in the Report of Proceedings the following:

"You guys are living the battle, if you will, of daily life with your children, and so you have a better idea than I do of what works for your schedules, your personalities, those of your children. Those of the other immediate family members -- evidently, you have children from another relationship. I know you have children from another relationship. That is all part

of the dynamic, too. You have to sort of try to make something that creates the fewest waves among all of those things, which will hopefully foster the best possible human development for your son”.

(RP page 95, Lines 15 – 25).

Mr. Moore couldn't agree more with creating the fewest waves on NRM life. The current parenting plan makes a great and devastating impact on NRM's life and has been proven to be reversible with more time spent with Mr. Moore in the quality of life he has been used to. The guidelines for RCW 26.09.002 are set for structural purposes and the discretion used was not sound as well as contradicts the entire purpose of the RCW. Especially seeing the results and impact that it has had on NRM. His residential time loss has caused a greater impact on his life than anything.

Reply to Ms. Vallee's response #3 and #4:

Ms. Vallee says the trial court has the discretion to formulate a parenting plan based on the evidence submitted at trial. On 05/16/2015, Judge Chuschoff was provided the declaration from 05/26/16 for the Motion for Revision. Mr. Moore attempted to ask the judge if he recalled the details that were a part of the record (RP 177, Lines 24 – 25 and RP 178 1- 6). The severe and physical evidence that was supplied seemed unimportant to the judge. The misguided and orchestrated story of how Ms. Vallee's life with NRM was explained at trial, is more so a reflection of Mr. Moore's care for Ms. Vallee's other children and his own. This opposition towards undeniable evidence seemed to be the entire point of the first day of trial with an intent to deter from the truth. A perfect lifestyle is what was presented to the judge. Pertinent evidence about Ms. Vallee was not considered.

Counsel argues that the appellant court must decide whether the trial court made an error of law. For counsel's sake alone, error and law will be explained as defined by the English dictionary from Dictionary.com. "Error"; 1. a deviation from accuracy or correctness; a mistake, as in action or speech. 2. belief in something untrue; the holding of mistaken opinions. 7. a mistake in a matter of fact or law in a case tried in a court of record. The judge was provided with pertinent physical evidence by Mr. Moore that was not mere word of mouth. Believing in untrue words of Ms. Vallee with no supporting evidence over a combination of words with physical supporting facts and evidence from Mr. Moore is a mistake in a matter of fact.

"Law"; 1. the principles and regulations established in a community by some authority and applicable to its people, whether in the form of legislation or of custom and policies recognized and enforced by judicial decision. The law is a guideline to follow and decisions are meant to be based on using these guidelines. The judge did not use these laws appropriately; which will be further explained within Mr. Moore's replies to counsel and Ms. Vallee. Discretion should not lean so far from the law that it is considered acceptable. Marvin B. Rosenberry, *The Supremacy of the Law: Law vs. Discretion*, 23 Marq. L. Rev. 1 (1938). "It is the duty of the people, therefore, in framing a constitution of government, to provide for an equitable mode of making laws, as well as for an impartial interpretation, and a faithful execution of them; that every man may, at all times, find his security in them."

Counsel states that "it doesn't really matter who the primary parent was". However, RCW 26.09.187 section 3(i) states: The relative strength, nature, and stability of the child's relationship with each parent. Section 3(iii) states: Each parent's

past and potential for future performance of parenting functions as defined in *RCW 26.09.004(3), including whether a parent has taken greater responsibility for performing parenting functions relating to the daily needs of the child.

This clearly states that it does matter who was the primary parent and changing this also shows a negative impact that even many psychologists warn about in their books. Bowlby, J. (1969). Attachment and loss: Vol. 1. Attachment. New York: Basic Books "Parent responsiveness. Attachment theory holds that a child's emotional security is a result not just of parental availability, but also of parental responsiveness to the child." John Bowlby, Attachment and Loss. Volume 2: Separation (1973). "From a cognitive perspective, infants and very young children do not have the resources to understand the absence of a significant attachment figure, such as a parent. Although they may not be able to verbalize or identify their feelings, they may experience distress".

Anyone honest that were to see Mr. Moore and Ms. Vallee together with NRM would see the great difference in responsiveness and relationship of child and both parents. Although NRM is young; he understands the difference and depth of attentiveness and love that Mr. Moore consistently displays to him. He understands the loving bond that has always been provided to him since birth by Mr. Moore. The distress that NRM experiences is a derivative of the separation from Mr. Moore and his sister. NRM now does not want to go to sleep unless Mr. Moore is in the bed with him. He cries intensively often when he is transferred to Ms. Vallee, he cries for dad at Ms. Vallee's house, he desires to be picked up a lot more than he usually does, and more. This is an attachment to his father; the primary known parent of his life.

Counsel argues that RCW 26.09.191(5) is a factor and she uses it inappropriately towards the residential schedule in this case. RCW 26.09.191 is about restrictions in temporary or permanent parenting plans which does not apply and is in conjunction with RCW 26.09.187(3a)(i)(ii)(iii) which states: 3) RESIDENTIAL PROVISIONS.(a) The court shall make residential provisions for each child which encourage each parent to maintain a loving, stable, and nurturing relationship with the child, consistent with the child's developmental level and the family's social and economic circumstances. The child's residential schedule shall be consistent with RCW 26.09.191. Where the limitations of RCW 26.09.191 are not dispositive of the child's residential schedule, the court shall consider the following factors:

(i) The relative strength, nature, and stability of the child's relationship with each parent; (ii) The agreements of the parties, provided they were entered into knowingly and voluntarily; (iii) Each parent's past and potential for future performance of parenting functions as defined in *RCW 26.09.004(3), including whether a parent has taken greater responsibility for performing parenting functions relating to the daily needs of the child. It is not sound for counsel to use a part of the RCW that doesn't even apply to this case because the limitations are not dispositive.

Ms. Vallee testified during court that she works Monday to Friday from 7am to 3:30pm as counsel states in her argument. Ms. Vallee now works two jobs and her schedule is not completely consistent and her primary job requires mandatory weekends as Mr. Moore has physically witnessed on many occasions. This gives Ms.

Vallee a similar consistency of continuous work as she had with her previous job. This places NRM in childcare when he could be with Mr. Moore instead since he testifies having flexibility then (RP 156 – 157) and more so now. Research shows that it is more important for a child to be with their parent more than to be in childcare. It is also researched that the parent child relationship is more important than the child sibling relationship. Then we move to the point that if siblings were more important than the child and parent relationship, why would it be chosen to also reduce the time between NRM and his sister?

Counsel argues that Ms. Vallee gives a testimony and provides evidence sufficient for the court to enter a parenting plan and states how she provides daily care of the child and all of her children. The testimony that Ms. Vallee created was not a true one and was only created to falsely counter the truth that was in the physical evidence of being the opposite of what she expressed during trial (RP 239, Line 20 to 25 and RP 240, Lines 1 to 2). Judge Chuschoff even reviewed Mr. Moore's concerns within his declaration and supplied evidence during 6/15/15 revision. The judge said he was going to look through all of the records (RP 268 Line 1 – 3), not only a part of the records.

If the judge took in consideration and reviewed the case evidence it would be clear to him that the entire initial testimony by Ms. Vallee was more so an act of correction. Ms. Vallee claimed to be loving to the kids but was proven even by her own words within evidence that she was not many times and she was disconnected from them. Ms. Vallee expressed that her home was safe when in physical evidence it showed her home as unsafe nor child proofed. Ms. Vallee states that she provided educational opportunities when physical evidence showed that she did not.

Respondent's brief pages 12 – 14 are all proven to be untrue through physical evidence within the court and should be more valuable than anyone's word of mouth. How can such vital information be overlooked? It is important to see the truth within these statements.

Mr. Moore brings these truths not to shame or embarrass Ms. Vallee; but to provide the truth to the court since everything expressed by Ms. Vallee since they have known each other has mostly been the opposite of the truth. Ms. Vallee's support then represents Ms. Vallee as perfect again and brought a lot of emphases on misleading the court with their testimonies. If one provides documents and pictures within a long period of an unsafe house; how is one such as Brian Summers going to testify truth of the house being safe and clean? He as well as Christine Kingsbury were people that also complained often about the care of the house and the kids before court and now portray that it is now perfect.

The testimony of Christine Kingsbury goes on to be proven hearsay, as she even moves to correct her previous declaration that claimed she had personal knowledge of things; then to say that she only heard (RP 106 Line 22 – 23)(RP 208, Lines 11 to 25 and RP, Lines 1 to 25). Anyone that has witnessed labor at all outside of a hospital knows that the situation can be stressful. Mr. Moore was rushing to get Ms. Vallee to the hospital and did not hear Ms. Kingsbury at all. Mr. Moore's attention was on Ms. Vallee and leaving for the hospital at the time. Ms. Kingsbury is 100% sure that Mr. Moore just ignored her and he even asked her if she was sure he just didn't hear her (RP 109 Line 7 – 18). Ms. Vallee took extra time to leave for the hospital by stating that she wanted to use the restroom to prevent defecating during birth at the hospital and that she wanted to shower. That is when Ms. Vallee screamed

and Mr. Moore ran to the bathroom to assist. Ms. Vallee's decision to use the restroom was a good thing because NRM came quickly and Ms. Kingsbury had nothing to do with it. NRM was already out into Mr. Moore's hands before Ms. Vallee even made a phone call for an ambulance. That is how NRM's birth truly happened. This was a first-time experience for everyone. For Ms. Kingsbury to say that Mr. Moore caused the home birth is unrealistic and insulting.

Counsel states that Mr. Moore didn't provide any documentary evidence or a testimony from expert's that NRM's separations has brought mental and emotional harm. This argument is substantially illogical for the fact that since Mr. Moore had custody of NRM, and the temporary parenting plan was only a difference less than a 16-hour variance from when Mr. Moore had custody; why would there be a need to obtain documentary evidence or testimony from experts? The time of separation is not as large as it is now and even with the temporary order and relationship before any court proceeding, Mr. Moore explained that NRM is attached to him (RP 144, Line 9). At this point, it was clear that if documentary evidence existed; it would not be considered just like the relatively important evidence supplied previously.

Counsel fails to explain what RP 144 pertains to. RP 144 is where Judge Chuschoff questions Mr. Moore about his past and current relationship with NRM, not questions of the future. By counsel explaining it the way that she did, it would give the assumption that there was already a very large gap in residential time when it was not a factor. The question would then be; was there a logical reason to bring a professional in for this specific purpose at the time? No.

For another example; if someone usually works 40 hour a week and then went to working 38 hours a week; would they notice a big difference in their paycheck? No.

If the person usually works 40 hours a week and then that changes to working 20 hours a week; would they notice a big difference in their paycheck? Yes. Then would there be a logical reason to correct all the effects that this diminishment in pay has caused? Yes. Counsels argument is greatly unsound.

Counsel argues that the Motion for Reconsideration to correct mentioned errors was justifiable and that the findings of fact does not require explanation. Even if there is a scintilla of evidence within the case, it is a factor whether substantial evidence will be considered. In re LaBelle, 728 P. 2d 138 - Wash: Supreme Court 1986. "Noting that while the degree of particularity required may vary depending on the circumstances of the case, findings "should at least be sufficient to indicate the factual bases for the [court's] ultimate conclusions".

Evidence on the record does not support the findings of fact and conclusion of the law. Within the Order on Motion for Reconsideration, the judge did not address factors such as deviation. Judge Chuschoff did not provide a denial or approval for the deviation that was requested again. He did not mention it at all (CP 118 to 119). How can counsel say that he denied it and that the order was justified?

Counsel points to where the judge states that Mr. Moore and Ms. Vallee agreed that every weekend was inappropriate and claims that Mr. Moore agreed to it being inappropriate. This is false and can be verified after reading RP 149, Line 22 to RP 150, Line 25 as counsel requested. If anything were to be considered inappropriate; it would have been the factor that Ms. Vallee had NRM every weekend during the second temporary parenting plan. This abruptly separated NRM and his sister completely where they were not able to see each other. There was never a time where Ms. Vallee's side of the family missed time with NRM in all past residential

schedules and currently. Even if Mr. Moore does have every weekend, Ms. Vallee's family consistently remains in NRM life and considerations were negotiated.

Mr. Moore's statement goes hand in hand with the continuous measure of trying to negotiate with MS. Vallee and bring peace towards the conflictions within the parenting plan and child support. This is soon to be explained in further details. It was expressed by Mr. Moore that it was vital that NRM and he not lose any time together and attempted to have negotiation under the lawful guidance of the judge to eliminate the combined biased oppression from counsel and Ms. Vallee (RP 132, Line 4 to 24).

Reply to Ms. Vallee's response #5:

Ms. Vallee states that an unsuccessful settlement conference was held on December 14, 2015 in front of Judge Martin. Judge Chuschoff states to his understanding that there was an agreement; which is what Mr. Moore thought as well even though all appropriate areas were not discussed (RP 234, Lines 4 to 10).

[Court] Again, the end result was there wasn't an agreement.

At some point in time, there was a belief that there was an agreement after the settlement conference with Judge Martin, right?

[Mr. Moore]. That's what we agreed on. When I got it back, we didn't have what we talked about there. We had something different.

Mr. Moore expresses that the parenting plan that was received from counsel was indeed different from what Judge Martin had created at the settlement conference (RP 168, Lines 23 to 25 and RP 169, Lines 1 to 4).

Reply to Ms. Vallee's response #6:

Ms. Vallee and counsel argue that findings of intransigence should be upheld and that it was admissible as evidence. Counsel does not accurately share the truth of the matter and is believed to claim hearsay towards Mr. Moore's claims.

During the settlement conference, it was verbally agreed to allow Mr. Moore to have time to review the parenting plan and get back to counsel before her vacation (RP 56, Lines 2 to 5). This was needed because the procedures were rushed and conclusion of residential time was the only thing discussed. The judge came up with a plan that best fit what both Mr. Moore and Ms. Vallee wanted; which was what Mr. Moore presented at trial. Mr. Moore believed that counsel would keep her word in good faith. Mr. Moore tried to reach out to counsel via email about details of what we discussed for her to draft. She insisted that I call her to discuss the details (Exhibit 1).

Mr. Moore called counsel within 2 days after the settlement conference and was greeted with a statement stating that we didn't sign anything so all is fair game right now. She implied that Mr. Moore should remember that she is working for Ms. Vallee and not him. It was clear through this brief conversation that counsel had no real intention to keep her word. With a combination of statements Mr. Moore received a parenting plan that had very strict restrictions that Mr. Moore was guaranteed to fail and most likely would be summoned to court for contempt. Counsel knew that Mr. Moore could not attend co-parenting counseling that was appointed (CP 37).

Counsel filed a contempt charge for administrative errors of child support that was clearly in the declaration filed on October 28, 2015. It was clear that counsel intended to create an unachievable deadline of 15 days to attend co-parenting counseling as a strategy for her client. More so, Ms. Vallee agreed that Mr. Moore could use the current co-parenting counselor paid for by his insurance (Exhibit Record R37). Many documents were provided to the judge showing that Mr. Moore tried several times before trial to discuss terms that were not agreed to (Exhibit 2, dated January 13, 2016). If the court grants and will consider the extended chain of emails to show that these matters were discussed at great measures; they can be supplied for review.

Counsel changed terms to benefit Ms. Vallee and threats were made several times for trial. Emails and text messages were ignored. Counsel states if Mr. Moore doesn't agree with those terms that Ms. Vallee will ask for the parenting plan she really wants (Exhibit 3). What was placed were terms and strategy to get what she really wanted. Mr. Moore saw that there was no compromise and gave counsel what he really wanted as well. Ms. Vallee says that she is preparing for trial December 18, 2015 (Exhibit 4). That is 27 days of potential and vested negotiation before the date of trial.

Counsel took this as an opportunity to overbear Mr. Moore and ask for attorney fees. It is highly likely that counsel had already prepared for trial and it was not due to the fact that Mr. Moore provided what he really wanted just as Ms. Vallee provided with the unachievable restrictions. Counsel claims that no requests were received and no negotiations were received at all. Mr. Moore testifies that this is untrue (RP 233, Lines 2 to 25).

Reply to Ms. Vallee's response #7:

Ms. Vallee and counsel state that there were denials of deviation and that they were not requested. This was addressed as inaccurate and Mr. Moore did request for deviation (Exhibit Record 28) attached in his Proposed Parenting Plan. Yet again, this correctable error was not even discussed by the judges Reconsideration order but it was discussed by Mr. Moore. Mr. Moore provided his Financial Declaration to the court twice (Exhibit Record 44 and Case Proceedings on 5/26/2015). Further discussion on the paystubs that counsel claims were submitted will show inaccurate just by reading her requested section. 12 paystubs were never stated; counsel is mistaken (RP 158, Lines 24 to 25). Paystubs always have a year to date and it is easy to calculate an average pay (RP 157, Lines 17 to 25 and RP 158, Lines 1 to 5). The depth of which counsel seeks to obtain information that was already supplied on multiple occasions is important and the letters supplied to satisfy councils requests would be just to consider.

When counsel stated that Mr. Moore agreed to not paying child support for 6 months, she fails to show that RP 117, line 3 is a statement from Ms. Vallee, not Mr. Moore. The declaration supplied by Mr. Moore for the contempt motion clearly shows with evidence that the child support was an administrative error made by DCS (Exhibit 5). Counsel is aware that Mr. Moore pays for child support for his daughter as supplied within Exhibit 5 within the Reply to Respondent's Declaration Towards Emergency Stay Pending Appeal (Exhibit 6).

Reply to Ms. Vallee's response #8 and #9:

Ms. Vallee and counsel argues that the paystubs provided was not sufficient to prove that Mr. Moore worked an average below 40 hours the entire year of 2015. Mr. Moore states that the hours put on the financial declaration as the maximum that could be worked but emphasized that he does not work 40 hours (RP 163, Lines 10 to 18). It is respectfully requested that the letter confirming the hours worked by Mr. Moore from the corporate manager is accepted as evidence (Exhibit 7). The simple parenting plan that counsel argues is a parenting plan that is clearly not working out for the best interest of NRM. Respectfully said, verbal testimony vs physical evidence should not outweigh factors towards a parenting plan that is of NRM's best interest.

Reply to Ms. Vallee's response #10:

Ms. Vallee states that the court was in its discretion to order her as the sole responsible parent towards childcare. It is believed that the judge said that he was going to review all documents pertaining to the case. It was known that the babysitter at the time was very unfit and that it was not a good idea for any of the kids to continue to go their; yet the temporary order required that the problem babysitter be used and it was evident from Mr. Moore's experience that the sitter would continue to be used. Why would the judge not review concerns that are valid and simply dismiss further discussion of it (RP 236, Lines 23 to 25 and RP 237, Lines 1 to 7).

Reply to Ms. Vallee's response #11:

Ms. Vallee argues that evidence towards the friendly parent concept does not exist and that the decisions were based solely on trial. Judge Chuschoff implied that evidence that has been submitted may be discussed and will be a factor towards his decisions (RP 216, Lines 12 to 20). Counsel's opening trial statement including

evidence was provided to Mr. Moore for the first time at trial. The content of their argument was unknown until the day of trial. The evidence that the judge had reviewed from Mr. Moore since the Motion for Revision were highly pertinent. Council will object to anything that will show the truth. Council even objects to evidence being supplied to the judge (RP 177, Lines 19 to 25 and RP 178, Lines 1). For the second time, counsel attempts to convict Mr. Moore on the very same things that she practiced towards him; providing documents at trial.

If pertinent information is overlooked regarding safety of a NRM at the time, greater responsibility for NRM's daily needs, and each parents' past parenting relationship, true factors of the protection orders, a false story of how bad Mr. Moore was and how good Ms. Vallee was, continuous evidence that show's that Ms. Vallee's stories and support are false and even show this in their own words; yet, an order was placed with Ms. Vallee's best interest in mind and not NRM are prime examples of the Friendly Parenting Concept.

CONCLUSION

It is respectfully requested that the court honor's Mr. Moore's Appeal and provides the relief requested for the sake of NRM's best interest.

Respectfully Submitted this 14th day of November, 2016.


Duane Moore. Pro Se

Exhibit 1



Duane Moore <duanedm7@gmail.com>

Kayla and Duane documents

3 messages

duanedm7 <duanedm7@gmail.com>
Reply-To: duanedm7 <duanedm7@gmail.com>
To: Kelly Malsam <malsamlawfirm@live.com>

Sun, Dec 27, 2015 at 7:50 PM

Hi Kelly,

I received your packet with the settlement document and others.

Can I email you the signed parenting plan, child support order and settlement documents as soon as I can?

From my Android phone on T-Mobile. The first nationwide 4G network.

Kelly Malsam <malsamlawfirm@live.com>
To: duanedm7 <duanedm7@gmail.com>

Mon, Dec 28, 2015 at 10:43 AM

I called you. Call me when you can.

Date: Sun, 27 Dec 2015 19:50:33 -0800
Subject: Kayla and Duane documents
From: duanedm7@gmail.com
To: malsamlawfirm@live.com
[Quoted text hidden]

duanedm7 <duanedm7@gmail.com>
Reply-To: duanedm7 <duanedm7@gmail.com>
To: Kelly Malsam <malsamlawfirm@live.com>

Mon, Dec 28, 2015 at 3:37 PM

I called you back and left a message. Do you have my number? 425-638-2672. If I don't answer you can leave a detailed message and I'll return your call

Kayla said she told you about the holiday rotation that we discussed.

Is this what you will draft up for us? The days are just rotated where I start with even years and she starts with odd. So we are swapping who takes odd and even to start.

Including Halloween and Easter as well because those big days aren't on there :-).

Once I get that I'll send the documents back to you right away.

From my Android phone on T-Mobile. The first nationwide 4G network.

[Quoted text hidden]

11/13/2016

Gmail - Child support order

Exhibit 1



Duane Moore <duanedm7@gmail.com>

Child support order

1 message

Duane Moore <duanedm7@gmail.com>

Thu, Dec 24, 2015 at 1:12 PM

To: Kelly Malsam <malsamlawfirm@live.com>

Hi,

Section 3.7 states that Neo does not receive state aid when he does. Kayla has him active under DSHS. Neo does receive state aid from DSHS.

I pay child support for my other child as well. That is why the judge prior made the judgement the way it is now due to deviation for time spent and for other child support obligation.

Exhibit 1

Duane Moore <duanedm7@gmail.com>

**Kayla and Duane settlement**

2 messages

duanedm7 <duanedm7@gmail.com>
Reply-To: duanedm7 <duanedm7@gmail.com>
To: Kelly Malsam <malsamlawfirm@live.com>

Fri, Dec 18, 2015 at 1:49 PM

Hi,

Hi Kelly,

When we left the settlement conference, we all understood that I will have the same amount of days that I currently have.

Since I am a visual person I wanted to see what it looked like for the year of 2016.

When comparing what I have now to what the judge has recommended, I find that I lose 10 days.

I figured that an easy way to solve this and keep the amount of days I currently have, we could add one day a month for 10 months to allow those days.

I figure that it is a fair and reasonable change to what the judge has offered.

I did propose a suggested day for January to December. I also asked Kayla if there are any other days that will work for her.

This is only to keep the same amount of days that I have now as we walked away understanding on Monday.

I understand that you don't work for me. This is a reasonable request.

Duane.

From my Android phone on T-Mobile. The first nationwide 4G network.

duanedm7 <duanedm7@gmail.com>
Reply-To: duanedm7 <duanedm7@gmail.com>
To: Kelly Malsam <malsamlawfirm@live.com>

Fri, Dec 18, 2015 at 1:52 PM

I'm sorry there was a few typos. The months were January to October with the openness for Kayla to choose the days and months.

From my Android phone on T-Mobile. The first nationwide 4G network.

[Quoted text hidden]

Exhibit 2

Duane Moore <duanedm7@gmail.com>

Duane

2 messages

duanedm7 <duanedm7@gmail.com>
Reply-To: duanedm7 <duanedm7@gmail.com>
To: Kelly Malsam <malsamlawfirm@live.com>

Wed, Jan 13, 2016 at 6:51 AM

I find it odd that you lie and say you received nothing. I did not lie to you at all.

In addition, your support order has incorrect information and figures by far. I asked for the support order to be corrected a number of times and I was ignored.

There are several other problems that were ignored that will soon be presented. Thank you but I refuse to be bullied.

From my Android phone on T-Mobile. The first nationwide 4G network.

duanedm7 <duanedm7@gmail.com>
Reply-To: duanedm7 <duanedm7@gmail.com>
To: Kelly Malsam <malsamlawfirm@live.com>

Wed, Jan 13, 2016 at 7:20 AM

You said that deviation was applied for child support. My insurance contributions towards Neo as well as the amount I pay for my daughter were not considered in your calculation.

Our judge applied those deviations at our hearing and that's why it is \$90 and change. Knowing your clients status truly would allow for accuracy.

This is about our son, not a won case. Understanding both parents parts while you truly don't know either of us is important.

If you keep the support as it is and drop the counseling stipulations then we can move forward. That is what I have asked several times and was threatened trial because we didn't agree.

From my Android phone on T-Mobile. The first nationwide 4G network.

[Quoted text hidden]

Exhibit 3

Duane Moore <duanedm7@gmail.com>

For Settlement Purposes Only ER408

1 message

Kelly Malsam <malsamlawfirm@live.com>

Thu, Dec 24, 2015 at 11:33 AM

To: duanedm7 <duanedm7@gmail.com>

Hi Duane,

Attached are the Parenting Plan and Child Support Orders. My client is offering to settle with the proposed parenting plan and support order. If we have to go to trial, she will ask the court for the parenting plan and support order that she really wanted. This is an offer to settle and cannot be used as evidence at trial.

Sincerely,

Kelly Malsam
425-228-3628

4 attachments**Order of Support for Trial, Vallee.pdf**

62K

**Parenting Plan for Trial, Vallee.pdf**

52K

**Proposed Final Parenting Plan for Settlement Purposes only, Vallee.pdf**

52K

**Proposed Order of Support with deviation, Vallee.pdf**

62K

11/13/2016

Gmail - My Commitment

Exhibit 4



Duane Moore <duanedm7@gmail.com>

My Commitment

Kayla Vallee <kvallee1@gmail.com>

To: Duane Moore <duanedm7@gmail.com>

Fri, Dec 18, 2015 at 12:54 PM

It looks like we aren't going to agree. I will let my lawyer know we aren't settling.

[Quoted text hidden]

Exhibit S

**Superior Court of Washington
County of Pierce**

In re the Parentage and Support of:

Neo Moore

Kayla Vallee

Petitioner(s),

and

Duane Moore

Respondent(s).

No. 15-3-01760-7

Response Declaration of
Duane Moore

This declaration is made by: Duane Moore, respondent and father.

I Declare :

I ask the court to release me from charges of contempt for the reasons set forth in my declaration.

CHILD SUPPORT: I have paid child support to Kayla in the amount of \$452.35 which is the adjusted amount from July's hearing and payments are up to date. Funds have been set up for electronic withdrawal with DCS to automatically fund Kayla's account each month. DCS has the original order still attached to the account and are working on applying the corrected order amount from July to the case so it reflects the correct amount and shows up to date (EXHIBIT 1). In addition to child support, On August 6, 2015, Kayla was ordered by DCS during an administrative hearing where I was recently acknowledged as the custodial parent by Administrative Law Judge Charnelle Bjelkengren. This has since been resolved by payment made in mid October 2015.

E x h i b i t 5

COUNSELING: I tried my best to personally comply with this order although I am financially unable to. I asked for a payment plan but Mrs. Pulhamus does not support payment plans of any sort (EXHIBIT 2). I've also tried to obtain a loan to pay for it and was unsuccessful. To do my best to comply, I found free counseling paid by my insurance. I have been attending for several weeks now and one area we are working on is co-parenting. I can supply a letter of acknowledgment from the counselor upon request. I believe that counseling is important and holds great benefits. It's not that I didn't want to attend the appointed counselor; it's simply that I don't have the extra money to pay for it.

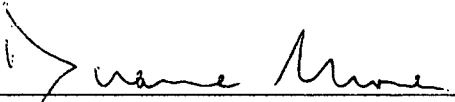
CHILDCARE: My attorney Kevin Rundle that was previously assigned to my case made a great mistake that I am requesting that I be pardoned from reprimand. Kevin assured that it was ok to use alternate childcare for short stints (EXHIBIT 3). He was incorrect in what he understood of the court order. Travel time to Kayla's house is 45 minutes in the morning and 35 minutes to work. This stipulation is difficult with my current living area and will be worse if I move further from her. Logically I feel it should be removed from the order.

VACATION: I agree with Kayla that it has been incredibly difficult working together on arrangements such as vacations. Past the prior restraining order cases I feel that the field is not equal and that I give more than I receive. The current order prohibits my son and daughter from seeing each other because of scheduling conflicts. They ask for each other constantly and seeing this each time is heartbreaking. I ask Kayla several times if we can switch to a Sunday to Wednesday schedule so my children can spend time together and she continuously declines or ignores me (EXHIBIT 4) That is why I feel that with a final order, we can address vacations and equal fairness. I am willing to work with her but I don't understand why she won't work with me. I ask the court to please understand my situations and dismiss these charges.

(Attach Additional Pages if Necessary and Number Them.)

I declare under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

Signed at (City) University Place, (State) Washington on (Date) 10/27/15.



Signature of Declarant

Duane Moore

Print or Type Name

Do not attach financial records, personal health care records or confidential reports to this declaration. Such records should be served on the other party and filed with the court using one of these cover sheets:

- 1) Sealed Financial Source Documents (WPF DRPSCU 09.0220) for financial records.**
- 2) Sealed Personal Health Care Records (WPF DRPSCU 09.0260) for health records.**
- 3) Sealed Confidential Report (WPF DRPSCU 09.270) for confidential reports.**

If filed separately using a cover sheet, the records will be sealed to protect your privacy (although they will be available to all parties in the case, their attorneys, court personnel and certain state agencies and boards.) See GR 22(C)(2).

~~Exhibit 5~~

Exhibit 6



Washington State Child Support Schedule Worksheets

☐ Proposed by ☐ ☐ State of WA ☐ Other (CSWP)
Or, ☐ Signed by the Judicial/Reviewing Officer. (CSW)

Mother: Stephanie Simpson

Father: Duane Moore

County: PIERCE

Case No.: 09-3-02230-4

Child Support Order Summary Report

This section must be completed for all Worksheets signed by the judicial/reviewing officer.

A. The order <input type="checkbox"/> does <input checked="" type="checkbox"/> does not replace a prior court or administrative order.
B. The Standard Calculation listed on line 17 of the Worksheet for the paying parent is: \$358.46.
C. The Transfer Amount ordered by the Court from the Order of Child Support is: - to be paid by <input type="checkbox"/> mother <input checked="" type="checkbox"/> father.
D. The Court deviated (changed) from the Standard Calculation for the following reasons: <input type="checkbox"/> Does not apply <input type="checkbox"/> Nonrecurring income <input type="checkbox"/> Sources of income and tax planning <input type="checkbox"/> Split custody <input type="checkbox"/> Residential schedule (including shared custody) <input type="checkbox"/> Child(ren) from other relationships for whom the parent owes support <input type="checkbox"/> High debt not voluntarily incurred and high expenses for the child(ren) <input type="checkbox"/> Other (please describe):
E. Income for the Father is <input type="checkbox"/> imputed <input checked="" type="checkbox"/> actual income. Income for the Mother is <input type="checkbox"/> imputed <input checked="" type="checkbox"/> actual income. Income was imputed for the following reasons:
F. If applicable: <input type="checkbox"/> All health care, day care and special child rearing expenses are included in the worksheets in Part III.

Exhibit 5

Exhibit 7



April 29, 2016

Regarding: Brookdale work history

To whom it may concern:

Duane Moore is currently employed by Brookdale Healthcare Services as an Administrative Assistant. His hourly rate is \$18.00 per hour. He works 72 hours per 2 week pay period. He did not receive a merit or any other type of raise for 2015.

Sincerely,

Kathleen Ahern

Kathleen Ahern
Home Health Director
Brookdale Home Health
115 NE 100th Street
Suite 325
Seattle, WA 98125

~~Exhibit 2~~

Supplement to R, 37

BEVERLY POLHAMUS, MA, LMHC, CHt
TRANSFORMATIONAL COUNSELING
1011 East Main., Suite 450
Puyallup, WA 98372
PHONE: (253) 604-4354, FAX: (253) 604-4732

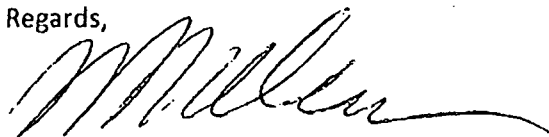
October 13, 2015

Duane Moore
7310 - 56th St. Ct., NW, Apt. C
University Place, WA 98467

Mr. Moore:

As per your request, I am writing to reiterate the scheduling regarding co-parenting counseling with you and Kayla Vallee. I saw Ms. Vallee for an individual session on June 18, 2015. You were scheduled for an individual appointment on July 14, 2015 but did not show. I left you several messages, which you returned on August 15, 2015, explaining that you could not afford the co-parenting counseling. I did not hear from you again until today when you asked if I could arrange a payment plan with you whereby you paid \$20.00 per month. I said that this would not be possible for two reasons. First, this office does not have the staff to bill and follow-up on these types of accounts. Second, even if I made an exception, at \$20.00 per month, the debt to payment ratio would be too large and you would be continually accumulating more debt.

Regards,

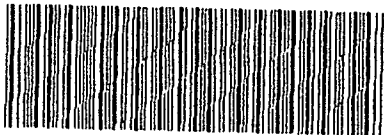


Beverly Polhamus, MA, LMHC

I declare under penalty of perjury of the laws of the state of Washington that the foregoing is true and correct to the best of my knowledge.

Beverly Polhamus, MA, LMHC

1-5	3-0	1-7	6-0	7
PLA/PET				
DEF/RESP				
37				
EXHIBIT #				



15-3-01760-7 48261497 EXRV 01-27-16

FILED
DEPT. 4
IN OPEN COURT

JAN 19 2016

Pierce County Clerk
By *[Signature]*
DEPUTY

IN THE SUPERIOR COURT OF WASHINGTON, COUNTY OF PIERCE

KAYLA A VALLEE,
Petitioner(s)

Cause No. 15-3-01760-7

vs.

EXHIBIT RECORD

DUANE D MOORE,
Respondent(s)

See Note 1-26-16

P D	No.	Description	Off	Obj	Admitted Agreed Denied Illustrative Published Redacted Reserved Withdrawn	Date	Rec'd by Clerk's Office
P	1	Petition for Residential Schedule					
P	2	Acknowledgment of Paternity					
P	3	Financial Declaration of Petitioner	Yes	No	Admitted	1/14/16	
P	4	Temporary Order					
P	5	Temporary Parenting Plan					
P	6	Temporary Order of Child Support					
P	7	Order on Motion for Revision					
P	8	Motion for Order to Show Cause re: Contempt; Order to Show Cause					
P	9	Letter from Duane Moore; Emails	Yes	Yes	Admitted	1/14/16	
P	10	Emails regarding trip to Canada					
P	11	Emails regarding Co-parenting counseling	Yes	No	Admitted	1/19/16	
P	12	Letter from Counselor	Yes	No	Admitted	1/14/16	

0136

10456

1/27/2016

P D	No.	Description	Off	Obj	Admitted Agreed Denied Illustrative Published Redacted Reserved Withdrawn	Date	Rec'd by Clerk's Office
P	13	Declaration of Cassandra Hogue					
P	14	Declaration of Melissa Plumlee					
P	15	Declaration of Brian Summers					
P	16	Pay stubs					
P	17	2013 Tax Return; 2014 Tax Return					
P	18	Order of Dismissal	Yes	No	Admitted	1/19/16	
P	19	Group Health Records	Yes	No	Admitted	1-14-16	
P	20	Ex Parte Restraining Order and Motion					
P	21	Email from Respondent's Attorney					
P	22	Daycare Photo	Yes	No	Admitted	1-14-16	
P	23	Parenting Plan; support order proposed	Yes	Yes	Sustained		
P	24	Parenting Plan; support order changed					
P	25	Email from Duane Moore regarding settlement	Yes	Yes	Admitted	1/19/16	
P	26	Administrative court worksheets	Yes	Yes	Admitted	1-14-16	
P	27	Orientation Notice - 4 pages					
R	28	Parenting Plan proposed by Duane Moore					
R	29	Emails - 6 pages					
R	30	Pre-Hearing Letter with enclosures					
R	31	Final Order					
P	32	Petitioner's proposed Parenting Plan - Final Order	Yes	No	Admitted	1/19/16	
P	33	Petitioner's proposed Order of Child Support - Final Order	Yes	No	Admitted	1/19/16	
P	34	Petitioner's proposed Parenting Plan - Final Order	Yes	No	Admitted	1/19/16	
R	35	Gmail messages dated March 10, 2014 - 3 pages	Yes	Yes	Sustained		
R	36	Letter from Maria Carrington dated 11/13/2015	Yes	Yes	Sustained		
R	37	Letter to Duane Moore dated Oct. 13, 2015 from Beverly Polhamus					

0137

10456

1/27/2016

P D	No.	Description	Off	Obj	Admitted Agreed Denied Illustrative Published Redacted Reserved Withdrawn	Date	Rec'd by Clerk's Office
R	38	Letter from Justin Heistand, MD dated March 12, 2015	Yes	No	Admitted	1/19/16	
R	39	Email dated April 14, 201	Yes	Yes	Admitted	1/19/16	
R	40	Paystubs - 3 pages	Yes	No	Admitted	1/19/16	
R	41	Medical coverage information - 7 page	Yes	No	Admitted	1/19/16	
R	42	Century Link bill					
R	43	Tacoma Public Utilities bill					
R	44	Respondent's Financial Declaration	Yes	No	Admitted	1/19/16	
R	45	Gmail messages - 2 pages	Yes	No	Admitted	1/19/16	
R	46	Gmail messages - 2 pages	Yes	No	Admitted	1/19/16	
R	47	Gmail messages - 2 pages	Yes	No	Admitted	1/19/16	
R	48	Gmail messages - 3 pages	Yes	Yes	Admitted	1/19/16	
R	49	Gmail messages - 3 pages (duplicate - same as 47)					
P	50	Letter from Esther Park, MD, dated 6/9/2015					
R	51	Letter - 4 pages	Yes	No	Admitted	1/19/16	

Pierce County Superior Court Civil Case 15-3-01760-7

Case Title: KAYLA A VALLEE VS. DUANE D MOORE
Case Type: Parenting Plan\Child Support
Access: Public
Track Assignment: Res Schedule-Parenting Plan
Jury Size:
Estimated Trial Length:
Dept Judge: **04 BRYAN CHUSHCOFF**
Resolution: 01/26/2016 Court Decision after NJ Trial
Completion: 01/26/2016 Judgment/Order/Decree Filed

Litigants

Name	Type	Status	Bar Number
VALLEE, KAYLA A	Petitioner		
Attorney for VALLEE, KAYLA A			
Kelly Malsam	Atty for Plaintiff/Petitioner		38809
MOORE, NEO R	Minor		
MOORE, DUANE D	Respondent		

Filings

Filing Date	Filing	Access	Pages	Microfilm
05/08/2015	FILING FEE RECEIVED \$260.00	Public		
05/08/2015	CASE INFORMATION COVER SHEET	Public	1	
05/08/2015	ORDER SETTING ORIGINAL CASE SCHEDULE	Public	1	
05/08/2015	SUMMONS	Public	2	
05/08/2015	PETITION FOR RESIDENTIAL SCH/PARENTING PLAN/CHILD SUPPORT	Public	4	
05/08/2015	CONFIDENTIAL INFORMATION FORM	Sealed	2	
05/08/2015	CLERK'S MINUTE ENTRY	Public	2	
05/08/2015	NOTE FOR COMMISSIONERS CALENDAR	Public	1	
05/08/2015	SEALED ACKNOWLEDGMENT/DENIAL OF PATERNITY	Confidential	2	
05/08/2015	AFFIDAVIT/DECLARATION OF PETITIONER	Public	4	
05/08/2015	DECLARATION OF CHRISTINE KINGSBURY	Public	4	
05/08/2015	DECLARATION OF JASON HAY	Public	3	
05/08/2015	MT/DECL FOR EXPARTE RESTRAIN ORD AND ORD TO SHOW CAUSE	Public	4	
05/08/2015	SEALED JIS/JABS REPORT	Sealed	3	
05/08/2015	TEMPORARY RESTRAINING ORDER AND ORDER TO SHOW CAUSE	Public	4	
05/20/2015	NOTE FOR COMMISSIONERS CALENDAR	Public	1	
05/20/2015	MOTION AND AFFIDAVIT FOR TEMPORARY ORDER	Public	2	
05/20/2015	DECLARATION OF KAYLA VALLEE	Public	11	
05/20/2015	DECLARATION OF CASSANDRA HOGUE	Public	3	
05/20/2015	FINANCIAL DECLARATION	Public	6	
05/20/2015	SEALED FINANCIAL SOURCE DOCUMENT	Confidential	19	
05/20/2015	SEALED ACKNOWLEDGMENT/DENIAL OF PATERNITY	Confidential	2	
05/20/2015	NOTICE OF APPEARANCE	Public	1	
05/20/2015	RETURN OF SERVICE	Public	2	
05/21/2015	CERTIFICATE OF PARENTING CLASS - PETITIONER'S	Public	1	
05/26/2015	NOTICE OF APPEARANCE	Public	1	
05/26/2015	DECLARATION OF DUANE MOORE	Public	29	
05/26/2015	SEALED FINANCIAL SOURCE DOCUMENT	Confidential	8	
05/26/2015	PROPOSED PARENTING PLAN	Public	11	
05/26/2015	DECLARATION IN SUPPORT OF PARENTING PLAN	Public	4	
05/27/2015	NOTE FOR COMMISSIONERS CALENDAR	Public	1	
05/27/2015	DECLARATION OF BROOK DILLOW	Public	2	
05/27/2015	DECLARATION OF BRIAN GALLICHAN	Public	3	

05/27/2015	DECLARATION OF RYAN MULLINIKS	Public	2
05/27/2015	DECLARATION OF MARIA RUSSELL	Public	2
05/27/2015	MOTION AND AFFIDAVIT FOR TEMPORARY ORDER	Public	1
05/28/2015	CLERK'S MINUTE ENTRY	Public	2
05/28/2015	CERTIFICATE OF PARENTING CLASS - RESPONDENT'S	Public	1
05/28/2015	SEALED JIS/JABS REPORT	Sealed	3
05/28/2015	AMENDED TEMPORARY RESTRAINING ORDER AND ORDER TO SHOW CAUSE	Public	5
06/02/2015	LETTER RE SETTLEMENT CONFERENCE	Public	1
06/05/2015	RESPONSE DECLARATION OF KAYLA VALLEE	Public	16
06/05/2015	DECLARATION OF MELISSA PLUMLEE	Public	4
06/05/2015	DECLARATION OF BRIAN SUMMERS	Public	4
06/05/2015	SEALED PERSONAL HEALTH CARE RECORDS	Confidential	11
06/08/2015	STRICT REPLY OF DUANE MOORE	Public	23
06/11/2015	CLERK'S MINUTE ENTRY	Public	1
06/11/2015	TEMPORARY ORDER	Public	3
06/11/2015	SEALED JIS/JABS REPORT	Sealed	3
06/11/2015	PARENTING PLAN TEMPORARY	Public	9
06/11/2015	TEMPORARY ORDER OF SUPPORT W/WORKSHEETS	Public	15
06/15/2015	NOTE FOR JUDGES MOTION CALENDAR	Public	1
06/15/2015	MOTION FOR REVISION	Public	5
07/02/2015	CHILD SUPPORT SUMMARY REPORT	Public	4
07/02/2015	ORDER ON MOTION FOR REVISION	Public	2
07/13/2015	NOTICE OF INTENT TO WITHDRAW	Public	2
09/18/2015	NOTICE OF ABSENCE/UNAVAILABILITY	Public	2
09/23/2015	PETITIONER'S DISCLOSURE OF WITNESSES	Public	3
10/02/2015	EX PARTE PRESENTATION FEE \$40.00	Public	0
10/02/2015	NOTE FOR COMMISSIONERS CALENDAR	Public	1
10/02/2015	DISCLOSURE OF WITNESSES	Public	2
10/02/2015	MOTION FOR ORDER TO SHOW CAUSE	Public	2
10/02/2015	DECLARATION OF KAYLA VALLEE	Public	41
10/02/2015	DECLARATION OF BEVERLY POLHAMUS	Public	3
10/02/2015	MOTION FOR ORDER TO SHOW CAUSE	Public	2
10/02/2015	DECLARATION OF KAYLA VALLEE	Public	41
10/02/2015	DECLARATION OF BEVERLY POLHAMUS	Public	3
10/05/2015	ORDER TO SHOW CAUSE	Public	7
10/20/2015	PRE-TRIAL ELIGIBILITY REPORT	Sealed	2
10/21/2015	RETURN OF SERVICE	Public	2
10/22/2015	NOTICE OF APPEARANCE SPECIAL/LIMITED	Public	1
10/28/2015	DECLARATION OF DUANE MOORE	Public	8
11/02/2015	ORDER OF DISMISSAL SHOW CAUSE/ WITHDRAWALL OF ATTY	Public	3
12/14/2015	CLERK'S MINUTE ENTRY	Public	1
01/14/2016	TRIAL BRIEF	Public	8
01/19/2016	AFFIDAVIT/DECLARATION OF FEES & COSTS	Public	2
01/19/2016	DECLARATION OF KELLY MALSAM	Public	2
01/19/2016	TRIAL BRIEF	Public	8
01/19/2016	WITNESS RECORD	Public	1
01/19/2016	EXHIBITS RECEIVED IN VAULT	Public	3
01/26/2016	CLERK'S MINUTE ENTRY	Public	4
01/26/2016	LETTER FROM DEPARTMENT 4	Public	1
01/26/2016	PARENTING PLAN	Public	10
01/26/2016	ORDER FOR SUPPORT WITH WORKSHEETS	Public	19
01/26/2016	FINDINGS OF FACT AND CONCLUSIONS OF LAW	Public	5

01/26/2016	STIPULATION AND ORDER FOR RETURN OF EXHIBITS AND/OR UNOPENED DEPOSIT	Public	1
01/26/2016	JUDGMENT & ORDER EST RESIDENTIAL SCH/PARENTING PLAN/CHILD SUPPORT	Public	7
02/03/2016	NOTE FOR JUDGES MOTION CALENDAR	Public	2
02/03/2016	MOTION FOR RECONSIDERATION	Public	12
02/03/2016	EXHIBIT A	Public	6
02/16/2016	RETURN OF SERVICE	Public	1
02/18/2016	AFFIDAVIT/DECLARATION OF SERVICE	Public	2
02/22/2016	CORRECTED ORDER FOR SUPPORT	Public	15
02/22/2016	ORDER ON RESPONDENT'S MOTION FOR RECONSIDERATION	Public	2
03/16/2016	CLERK'S MINUTE ENTRY	Public	2
03/16/2016	NOTICE OF APPEAL	Public	28
03/18/2016	TRANSMITTAL LETTER COPY FILED	Public	1
03/21/2016	AFFIDAVIT/DECLARATION OF SERVICE	Public	2
03/22/2016	AFFIDAVIT FOR GARNISHMENT	Public	2
03/22/2016	WRIT OF GARNISHMENT(WITH FEE)	Public	5
03/28/2016	CLERK'S MINUTE ENTRY	Public	2
03/28/2016	MOTION TO STAY	Public	1
03/28/2016	ORDER DENYING	Public	1
04/11/2016	DESIGNATION OF CLERK'S PAPERS	Public	2
04/25/2016	ANSWER TO WRIT OF GARNISHMENT	Public	3
05/03/2016	ORDER TO PROCEED IN FORMA PAUPERIS	Public	2
05/03/2016	CLERK'S MINUTE ENTRY	Public	2
05/03/2016	CLERK'S MINUTE ENTRY	Public	2
05/03/2016	MOTION AND AFFIDAVIT OF INDIGENCY	Public	2
05/03/2016	FINDINGS & ORDER TO TRANSMIT INDIGENCY TO SUPREME COURT	Public	2
05/03/2016	AFFIDAVIT OF INDIGENCY	Public	3
05/05/2016	DECLARATION SUPPORTING INDIGENCY	Public	6
05/06/2016	DESIGNATION OF CLERK'S PAPERS	Public	2
05/10/2016	LETTER FROM SUPREME COURT	Public	2
05/20/2016	CLERK'S PAPERS PREPARED	Public	4
05/20/2016	CLERK'S PAPERS PREPARED	Public	2
06/20/2016	ANSWER TO WRIT OF GARNISHMENT 2ND	Public	3
06/30/2016	EX PARTE PRESENTATION FEE \$40.00	Public	0
06/30/2016	CERTIFICATE OF MAILING	Public	5
06/30/2016	MOTION FOR JUDGMENT	Public	8
06/30/2016	CERTIFICATE OF MAILING	Public	5
06/30/2016	ORDER OF DEFICIENCIES	Public	1
07/01/2016	EX PARTE PRESENTATION FEE \$40.00	Public	0
07/01/2016	CERTIFICATE OF MAILING	Public	5
07/01/2016	MOTION FOR JUDGMENT	Public	8
07/05/2016	COPY OF RULING FROM COA/SC	Public	1
07/05/2016	JUDGMENT ON ANSWER OF GARNISHEE DEFENDANT \$1199.81	Public	2
07/29/2016	CLERK'S PAPERS SENT	Public	1
08/08/2016	CLERK'S PAPERS SENT	Public	1


[PURCHASE COPIES](#)

Proceedings

Date	Calendar	Outcome
05/08/2015	C4 - EXPARTE CALENDAR (Rm. 105) Confirmed 3:01 Exparte Action	Held
05/28/2015	C4 - EXPARTE CALENDAR (Rm. 105)	Held

FILED
COURT OF APPEALS
DIVISION II

2016 NOV 14 AM 9:23

STATE OF WASHINGTON

BY _____
DEPUTY

IN THE COURT OF APPEALS, DIVISION II
FOR THE STATE OF WASHINGTON

DUANE MOORE,
Appellant,

and,

KAYLA VALLEE,
Respondent.

APPEAL NO. 48759-4

**AFFIDAVIT OF SERVICE FOR
APPELLANT'S REPLY BRIEF**

CERTIFICATE OF SERVICE

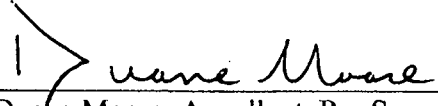
I, Duane Moore certify that on the 14th day of November, 2016, I caused a true and correct copy of the APPELLANT REPLY BRIEF, EXHIBITS, CLERK PAPERS AND PROCEEDING REPORTS to be served on the following in the manner indicated below:

Counsel for Kayla Vallee
Name Kelly Malsam
Address 15 S. Grady Way Ste #400
Renton, WA 98057

(X) First Class Mail with signature

() Hand Delivery

() _____


Duane Moore, Appellant, Pro Se